

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

JASON LEOPOLD,  
6824 Lexington Avenue  
Los Angeles, CA 90038,

and

BUZZFEED, INC.,  
111 E. 18<sup>th</sup> St.  
New York, NY 10003,

PLAINTIFFS

VS.

CENTRAL INTELLIGENCE AGENCY,  
Washington, DC 20505

DEFENDANT.

Judge \_\_\_\_\_  
Civil Action No. \_\_\_\_\_

## COMPLAINT

## THE PARTIES

1. Plaintiff Jason Leopold is a Senior Investigative Reporter for BuzzFeed News covering a wide range of issues.
2. Plaintiff BuzzFeed, Inc. (BuzzFeed) is a social news and entertainment company.
3. Defendant Central Intelligence Agency (CIA) is an agency of the United States.
4. CIA has possession, custody and control of the records Plaintiffs seek.

## JURISDICTION AND VENUE

5. This action arises under the Freedom of Information Act (“FOIA”), 5 USC § 552.

6. This Court has jurisdiction over the parties and subject matter pursuant to 5 USC § 552(a)(4)(B).

7. Venue is proper in this district pursuant to 5 USC § 552(a)(4)(B).

#### RELATED CASE

8. This case is related to *Leopold, et al. v. Central Intelligence Agency*, Case No. 1:17-cv-2176(RC) (D.D.C. 2017).

9. The parties in this case are identical to the parties in the 2017 case.

10. The same subject matter involved in the 2017 case is involved in the present case. The 2017 case involved a FOIA request which was largely identical to the one at issue in the present case. Both cases involve FOIA requests to the CIA for records pertaining to payments to Syrian rebels.

#### STATEMENT OF FACTS

11. On July 24, 2017, President Donald Trump tweeted, “The Amazon Washington Post fabricated the facts on my ending massive, dangerous, and wasteful payments to Syrian rebels fighting Assad.....”

12. President Trump’s tweet constitutes official acknowledged that the United States had been making payments to Syrian rebels fighting Assad.

13. On July 2, 2018, the CIA received Plaintiffs’ FOIA request for:

- a) Any and all CIA studies, memos, assessments, and intelligence products, mentioning or referring to payments to Syrian rebels fighting Assad;
- b) Any and all emails mentioning or referring to payments to Syrian rebels fighting Assad;

- c) Any and all correspondence to or from a member of Congress or a Congressional Committee mentioning or referring to payments to Syrian rebels fighting Assad;
- d) Any and all records that mentions or refers to the July 24, 2017 by President Donald Trump:  
<https://twitter.com/realDonaldTrump/status/889672374458646528>. The tweet states: “The Amazon Washington Post fabricated the facts on my ending massive, dangerous, and wasteful payments to Syrian rebels fighting Assad.....”;
- e) Any and all records mentioning or referring to the ending of payments to Syrian rebels fighting Assad; and
- f) Any and all records authorizing payments to Syrian rebels fighting Assad. This request includes, but is not limited to, any “FINDING” authorized by President Barack Obama.
- g) Any and all records mentioning or referring to payments to Syrian rebels fighting Assad
- h) Records pertaining to payments to Syrian rebels fighting Assad
- i) Any and all records mentioning or referring to any program to arm or train anti-Assad rebels in Syria

14. The request sought a waiver of fees and status as a representative of the news media for fee purposes.

15. In a letter dated July 24, 2018, the CIA acknowledged receiving Plaintiffs’ request on July 2, 2018 and assigned the request tracking number F-2018-01983.

16. As of the filing of this Complaint, Plaintiffs have not received a final decision from the CIA as to whether or not it will comply with the FOIA request, either as to Plaintiffs' request for records or as to his request for a fee waiver and/or status as a member of the news media.

COUNT I:  
VIOLATION OF FOIA

17. This Count realleges and incorporates by reference all of the preceding paragraphs. All documents referenced in this Complaint are incorporated by reference as if set forth fully herein.

18. Plaintiffs are deemed to have exhausted their administrative remedies with respect to F-2018-01983 because over 20 business days have elapsed without a final determination as to whether CIA will comply with Plaintiffs' FOIA request for records, for a fee waiver, and for status as a member of the news media.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

- (1) Declare Defendant's failure to comply with FOIA to be unlawful;
- (2) Order Defendant to immediately process Plaintiffs' FOIA request and produce any non-exempt, responsive records without fees;
- (3) Grant Plaintiffs an award of attorney fees and other litigation costs reasonably incurred in this action pursuant to 5 USC § 552(a)(4)(E)(i);
- (4) Grant Plaintiffs such other and further relief which the Court deems proper.

Respectfully Submitted,

/s/ Jeffrey Light

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